

Introduced by Senator Wright

February 12, 2009

An act to amend Sections 69612, 69613, 69613.2, 69613.4, 69613.6, and 69615 of the Education Code, relating to student financial aid.

LEGISLATIVE COUNSEL'S DIGEST

SB 155, as introduced, Wright. Student financial aid: Assumption Program of Loans for Education: school nurses.

Existing law provides for a program for the assumption of certain student loans of students who agree to enter into the teaching profession, known as the Assumption Program of Loans for Education (APLE), in designated subject matter shortage areas and in schools serving large populations of pupils from low-income families, schools serving rural areas, schools with a high percentage of teachers holding emergency permits, or schools with other specified characteristics.

This bill would expand the APLE to additionally provide for the assumption of student loans of students who agree to be employed as a school nurse in a school or school district that meets prescribed requirements. The bill would make conforming changes to the provisions governing the APLE.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 69612 of the Education Code is amended
- 2 to read:
- 3 69612. (a) The Legislature finds and declares all of the
- 4 following:

1 (1) The growing shortage of high-quality teachers is most serious
2 in particular subject areas, partly due to the shortage of students
3 in these fields who enter the teaching profession.

4 (2) Many school districts have difficulty recruiting and retaining
5 high-quality teachers for schools ranked in decile 1 or 2 on the
6 Academic Performance Index, for pupils with special needs, for
7 schools serving rural areas or large populations of pupils from
8 low-income and linguistic minority families, and for schools with
9 a high percentage of teachers holding emergency-type permits.

10 (3) The rising costs of higher education, coupled with a shift in
11 available financial aid from scholarships and grants to loans, make
12 the availability of financial aid and loan repayment assistance
13 options an important consideration in a student's decision to pursue
14 a postsecondary education.

15 (b) It is, therefore, the intent of the Legislature that the
16 Assumption Program of Loans for Education be designed to
17 provide veteran teachers and outstanding postsecondary students,
18 particularly economically disadvantaged students, with the
19 assurance of financial assistance to encourage them to complete
20 postsecondary education programs leading to teaching credentials
21 *and training or coursework necessary to be employed as a school*
22 *nurse, and to seek employment as ~~teachers~~ a school nurse or a*
23 *teacher* in designated subject-matter shortage areas or in schools
24 serving a large population of pupils from low-income families,
25 schools with a high percentage of teachers holding emergency-type
26 permits, or schools ranked in the lowest two deciles on the
27 Academic Performance Index.

28 SEC. 2. Section 69613 of the Education Code is amended to
29 read:

30 69613. (a) Program participants shall meet all of the following
31 eligibility criteria prior to selection in the program and shall
32 continue to meet these criteria, as appropriate, during the payment
33 periods:

34 (1) The applicant ~~has completed~~ *meets one of the following*
35 *requirements:*

36 (A) *The applicant has completed at least 60 semester units, or*
37 *the equivalent, and is enrolled in an academic program leading to*
38 *a baccalaureate degree at an eligible institution, has agreed to*
39 *participate in a teacher internship program, or has been admitted*

1 to a program of professional preparation that has been approved
2 by the Commission on Teacher Credentialing.

3 (B) *The applicant is enrolled in a program to complete training*
4 *or coursework in order to be employed as a school nurse and*
5 *agrees to work as a school nurse in an eligible school.*

6 (2) The applicant is currently enrolled in, or has been admitted
7 to, a program in which he or she will be enrolled on at least a
8 half-time basis, as determined by the participating institution. The
9 applicant shall agree to maintain satisfactory academic progress
10 and a minimum of half-time enrollment, as defined by the
11 participating eligible institution.

12 (A) Except as provided in subparagraphs (B) and (C), if a person
13 participating in the program fails to maintain at least half-time
14 enrollment, as required by this article, under the terms of the
15 agreement pursuant to paragraph (2), the loan assumption
16 agreement shall be invalidated and the participant shall assume
17 full liability for all student loan obligations. This subparagraph
18 shall not apply if the participant is in his or her final semester or
19 quarter in school and has no additional coursework required to
20 obtain his or her teaching credential *or appropriate nursing*
21 *credential.*

22 (B) Notwithstanding subparagraph (A), if a program participant
23 is unable to maintain at least half-time enrollment due to serious
24 illness, pregnancy, or other natural causes, or is called to active
25 military duty status, the participant is not required to assume full
26 liability for the student loan obligation for a period not to exceed
27 one calendar year, unless approved by the commission for a longer
28 period.

29 (C) If a natural disaster prevents a program participant from
30 maintaining at least half-time enrollment due to the interruption
31 of instruction at the eligible institution, the term of the loan
32 assumption agreement shall be extended for a period not to exceed
33 one calendar year, unless approved by the commission for a longer
34 period.

35 (3) The applicant has been judged by his or her postsecondary
36 institution, school district, or county office of education to have
37 outstanding ability on the basis of criteria that may include, but
38 need not be limited to, any of the following:

39 (A) Grade point average.

40 (B) Test scores.

1 (C) Faculty evaluations.

2 (D) Interviews.

3 (E) Other recommendations.

4 (4) The applicant has received, or is approved to receive, a loan
5 under one or more of the following designated loan programs:

6 (A) The Federal Family Education Loan Program (20 U.S.C.
7 Sec. 1071 et seq.).

8 (B) Any educational loan program approved by the Student Aid
9 Commission.

10 (5) The applicant *meets one of the following requirements*:

11 (A) *The applicant* has agreed to teach full time for at least four
12 consecutive academic years, or on a part-time basis for the
13 equivalent of four full-time academic years, after obtaining a
14 teaching credential, in a public elementary or secondary school in
15 this state, in a subject area that is designated as a current or
16 projected shortage area by the Superintendent of Public Instruction,
17 or, on the date the teacher is hired, at an eligible school.

18 (B) *The applicant has agreed to be employed full time for at*
19 *least four consecutive academic years after obtaining an*
20 *appropriate nursing credential, in a public elementary or*
21 *secondary school in this state, that, at the time that the school*
22 *nurse is hired, is an eligible school, or in a public elementary or*
23 *secondary school district in this state that has within it at least*
24 *one school, that is in the nurse's service territory, that at the time*
25 *the nurse is hired, is an eligible school.*

26 (b) An agreement shall remain valid even if the subject area
27 under which an applicant becomes eligible to enter into an
28 agreement ceases to be a designated shortage field by the time the
29 applicant becomes a teacher.

30 (c) For the purposes of calculating eligible years of teaching for
31 the redemption of an award, the designation by the Superintendent
32 of Public Instruction of a newly opened school pursuant to Section
33 52056 shall apply retroactively from the date the school first
34 opened.

35 (d) A person participating in the program pursuant to this section
36 shall not enter into more than one agreement.

37 (e) A person participating in the program pursuant to this section
38 shall not owe a refund on any state or federal educational grant or
39 defaulted on any student loan.

(f) Notwithstanding any other provision of this section, a credentialed teacher teaching in a public school ranked in the lowest two deciles on the Academic Performance Index pursuant to Section 52052, possesses a clear multiple subject or single subject teaching credential or level II education specialist credential and who has not otherwise participated in the program established by this article, is eligible to enter into an agreement for loan assumption pursuant to this article. The number of loan assumption agreements provided pursuant to this subdivision shall not exceed 400 per year. The commission shall develop and adopt regulations for the implementation of this subdivision by January 1, 2010.

SEC. 3. Section 69613.2 of the Education Code is amended to read:

69613.2. The commission shall commence loan assumption payments, as specified in Section 69613.4, upon verification that the applicant has fulfilled all of the following:

(a) The applicant has received a California preliminary or professional clear credential, or an equivalent credential from another state, authorizing service for kindergarten or any of grades 1 to 12, inclusive.

(b) The applicant has provided full-time classroom instruction *or employment as a school nurse*, or the equivalent on a part-time basis, in a public elementary or secondary school for the equivalent of one school year.

(c) The applicant has met the requirements of the agreement and all other pertinent conditions of this article.

SEC. 4. Section 69613.4 of the Education Code is amended to read:

69613.4. (a) The terms of a loan assumption granted under this article shall be as follows, subject to the specific terms of each agreement:

(1) After a program participant has completed one school year of classroom instruction *or employment as a school nurse* pursuant to Section 69613.2, the commission shall assume up to two thousand dollars (\$2,000) of the participant's outstanding liability under one or more of the designated educational loan programs.

(2) After a program participant has completed two consecutive school years of instruction *or employment as a school nurse*, the commission shall assume up to an additional three thousand dollars (\$3,000) of the participant's outstanding liability under one or

1 more of the designated educational loan programs, for a total loan
2 assumption of up to five thousand dollars (\$5,000).

3 (3) After a program participant has completed three consecutive
4 school years of teaching service *or employment as a school nurse*,
5 the commission shall assume up to a maximum of an additional
6 three thousand dollars (\$3,000) of the participant's outstanding
7 liability under one or more of the designated educational loan
8 programs, for a total loan assumption of up to eight thousand
9 dollars (\$8,000).

10 (4) After a program participant has completed four consecutive
11 school years of teaching service *or employment as a school nurse*,
12 the commission shall assume up to a maximum of an additional
13 three thousand dollars (\$3,000) of the participant's outstanding
14 liability under one or more of the designated educational loan
15 programs, for a total loan assumption of up to eleven thousand
16 dollars (\$11,000).

17 (b) For purposes of this section, "school year" means at least
18 175 school days or its equivalent.

19 (c) An applicant who ~~teaches~~ *is employed* on less than a full-time
20 basis may participate in the program, but shall not be eligible for
21 loan repayment until that person ~~teaches~~ *completes teaching service*
22 *or employment as a school nurse* for the equivalent of a full-time
23 academic year.

24 SEC. 5. Section 69613.6 of the Education Code is amended to
25 read:

26 69613.6. (a) Except as provided in subdivision (b), if a program
27 participant fails to complete a minimum of four consecutive school
28 years of classroom instruction *or employment as a school nurse*
29 on a full-time basis or the equivalent on a part-time basis as
30 required by this article, under the terms of the agreement pursuant
31 to paragraph (5) of subdivision (a) of Section 69613, the participant
32 shall assume full liability for all student loan obligations remaining
33 after the commission's assumption of loan liability for the last year
34 of qualifying teaching service pursuant to Section 69613.

35 (b) Notwithstanding subdivision (a), if a program participant
36 becomes unable to complete one of the four consecutive years of
37 teaching service *or employment as a school nurse* on a full-time
38 basis or the equivalent on a part-time basis due to serious illness,
39 pregnancy, or other natural causes, or is called to active military
40 duty status, the participant shall receive a deferral of the resumption

1 of full liability for the loan for a period not to exceed one calendar
2 year, unless approved by the commission for a longer period. The
3 commission shall make no further payments under the loan
4 assumption agreement until the applicable teaching requirements
5 specified in Section 69613.2 have been specified.

6 (c) (1) Notwithstanding subdivision (a), a program participant
7 shall receive a deferral of the resumption of full liability for the
8 loan for a period not to exceed one calendar year, unless approved
9 by the commission for a longer period, if the participant becomes
10 unable to complete one of the four consecutive years of teaching
11 service *or employment as a school nurse* due to being laid off,
12 reassigned, or other reasons beyond the control of the participant,
13 as determined by the commission.

14 (2) The commission shall make no further payments under the
15 loan assumption agreement until the applicable ~~teaching~~
16 requirements specified in Section 69613.2 have been satisfied.

17 (d) If a program participant fails to redeem an agreement for
18 student loan assumption within 10 years of the agreement's
19 issuance, the participant shall assume full liability for all student
20 loan obligations.

21 SEC. 6. Section 69615 of the Education Code is amended to
22 read:

23 69615. (a) The commission shall administer this article, and
24 shall adopt rules and regulations for that purpose. The rules and
25 regulations shall include, but need not be limited to, provisions
26 regarding the period of time during which an agreement shall
27 remain valid, the reallocation of resources in light of agreements
28 that are not utilized by program participants, the failure, for any
29 reason, of a program participant to complete a minimum of four
30 consecutive years of classroom instruction *or employment as a*
31 *school nurse*, and the development of projections for funding
32 purposes.

33 (b) The commission shall solicit the advice of representatives
34 from postsecondary education institutions, the State Department
35 of Education, the Commission on Teacher Credentialing, school
36 districts, and county offices of education regarding proposed rules
37 and regulations.